

Regulatory Guidance Letter 88-16

SUBJECT: Rescission of Nationwide Permit 7 Guidance in RGL 88-06

DATE: November 21, 1988

EXPIRES: December 31, 1990

Paragraph 3.a. of Regulatory Guidance Letter 88-6, Subject: Nationwide Permit Program, contains an erroneous statement concerning exemptions for storm water outfalls. Therefore, the subject paragraph is hereby rescinded.

NPW 7 (33 CFR 330.5(a)(7)) provides authorization for outfall structures and associated intake structures where the outfall has an NPDES permit. Section 405 of the Water Quality Act of 1987 exempts storm water outfalls from the requirement to obtain an NPDES permit until 1 October 1992 or until regulations are issued by EPA. Storm water outfalls which qualify for this exemption or are otherwise in compliance with the future regulations are considered to satisfy the NPDES permit requirement of this NWP. Therefore such storm water outfalls are authorized by NWP 7, provided they meet the other terms and conditions of the NWP.

This guidance expires 31 December 1990 unless sooner revised or rescinded.